

# **Policy Title: Leaves, Emergency, Sick and Bereavement Leave**

**Impact:** Employees

**Responsibility:**

**Effective Date:**

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## **I. Emergency, Sick and Bereavement Leave**

North Idaho College supports the Family Medical Leave Act (FMLA), the purpose of which is to allow “employees to balance their work obligations and family life by taking reasonable unpaid leave for certain family and medical reasons.”

The FMLA Compliance Guide states that “substitution of accrued sick or family leave [for unpaid leave] is limited by the employer’s policies governing the use of such leave.” (See Policy # 3.04.9 Family Medical Leave Act for more information.)

Since NIC supports the above FMLA, sick leave will be considered an earned benefit, which can be applied to FMLA as provided in Policy #3.04.9. It is understood, however, that employees will use sick leave in a responsible manner so as not to disrupt the college’s mission.

Employees may choose to use sick leave in the following situations:

1. Illness or injury that prevents the employee from performing his/her duties.
2. Duress from either mental health or stress-related problems that prevents the employee from performing his/her duties.
3. Exposure to a serious contagious disease that would jeopardize the health of fellow employees.
4. Medical appointments or examinations required by the employee her/himself.
5. Emergency sick leave, when the emergency results from a serious illness or death of employee’s relatives or significant others. (The FMLA guarantees 12 work weeks of unpaid leave.) (See Policy # 3.04.9 Family Medical Leave Act for more information about intermittent/reduced schedule leave.)

“Relatives” are defined to include spouse, children, parents, grandparents, grandchildren, brothers and sisters of either spouse, or other family members living as part of the employee’s immediate household. (“Significant other” is defined as a person who has lived in the role of employee’s spouse for more than one year.)

For employees who are members of the Sick Leave Bank, additional paid sick leave days may be granted for employees who have exhausted their sick leave. (See Policy #3.04.3)

1. Emergency or sick leave taken by faculty must be reported promptly to the appropriate division chair, who in turn will notify the vice president’s office. Support personnel will report to the appropriate supervisor, who will notify the Business Office.
2. If an employee fails to report for work without notifying his/her supervisor, or if a classroom instructor misses classes without providing proper advance notification to the college, the president may issue a warning, place a letter of reprimand in the individual’s personnel file, or bring action for dismissal under the applicable board of trustees’ policy.
3. If the employee exhausts sick leave and takes additional absences, a payroll deduction equal to the period of absence will be deducted from that person’s annual pay.
4. If the employee takes more than ten consecutive working days as sick leave, the employee may be required to provide adequate proof of illness, mental health or stress-related duress, or emergency.

#### **A. Category I, II, and IV**

Full-time employees shall accrue emergency and sick leave at the rate of one day per month beginning with the first full calendar month of employment. Part-time employees in these categories shall accrue this leave on the same basis as above except that the rate of accrual shall be prorated according to the percentage of full-time service.

#### **B. Category III - Instructors, Librarians, Counselors**

Full-time employees shall qualify for nine (9) days of emergency and sick leave each academic year. Employees working 50% time (10 credit hours or more), but less than full time shall accrue these nine days on a prorated basis. Instructors, librarians and counselors teaching less than 50% time are not eligible for sick-leave benefits. Eligible employees shall accrue one additional day of leave for each full month of employment beyond nine months per year.

#### **C. Category V**

Employees (excluding student workers and workers employed less than 50% of full-time) shall accrue emergency and sick leave on the same basis as category IV employees, except that the rate of accrual shall be prorated according to the percentage equivalent of full-time service.

#### **D. Category VI**

Employees may not earn or accrue emergency and sick leave unless required by the express provisions of the applicable grant or unless negotiated and duly recorded in the employment contract or letter of appointment issued by the college.

## **II. Parental Leave Policy**

Parental leave shall be considered sick leave if the employee is the primary caregiver of the infant. The primary caregiver in most cases is the mother. In other situations, the primary caregiver will be the person who bears major responsibility for the child. Accrued sick leave may be used during the 12 work weeks guaranteed by the Family Medical Leave Act “for the birth of a son or daughter, and to care for the newborn child, or for the placement with the employee of a child for adoption or foster care, and to care for the newly placed child.” (See Policy # 3.04.9 Family Medical Leave Act for more information about Intermittent/Reduced Schedule Leave.)

1. Any leave time required beyond accumulated sick leave will be considered as leave-of-absence without pay.
2. A parent/spouse who is not the primary caregiver is entitled to five days sick leave for the birth of a child. A grandparent is entitled to five days of sick leave for the birth of a grandchild.
3. The employee will use parental leave in a responsible manner so as not to disrupt the college’s mission. The employee will notify his/her supervisor a minimum of ten days in advance of the need for parental leave so substitutes can be procured.

## **III. Leave Beginning During Non-Contract Periods**

For contract employees working fewer than 12 months, the emergency sick, maternity and bereavement leave will begin when the employee’s contract resumes, provided it falls within the time frame guaranteed by FMLA.

1. The employee may use up to 12 workweeks of accumulated sick leave for the above purposes.
2. The employee will notify her/his supervisor a minimum of ten days in advance of the need for leave so substitutes can be procured.

## **IV. Exceptions to This Policy**

Under extreme situations that arise under issues of sick leave, the president alone may make exceptions to this sick leave policy for humanitarian reasons. S/he must document the reasons supporting the exception and notify the Board of Trustees of such a decision.